

**THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHICAGO MERCANTILE EXCHANGE)
INC. and BOARD OF TRADE OF THE)
CITY OF CHICAGO, INC.,)
Plaintiffs / Counterclaim Defendants,) Case No. 1:09-cv-3895
v.)
TECHNOLOGY RESEARCH GROUP, LLC,)
Defendant / Counterclaim Plaintiff,)
v.)
CME GROUP INC.)
Counterclaim Defendant.)

CME'S MOTION FOR SUMMARY JUDGMENT OF NO DAMAGES

Plaintiffs-Counterclaim Defendants Chicago Mercantile Exchange, Inc. (“CMEI”) and Board of Trade of the City of Chicago, Inc. (“CBOT”) and Counterclaim Defendant CME Group Inc. (“CMEG”, collectively “CME”) hereby move for summary judgment of no damages against Defendant-Counterclaim Plaintiff, Technology Research Group, LLC (“TRG”) pursuant to Fed. R. Civ. P. 56(a).

Filed herewith in support of this Motion are a Memorandum of Law, Jonathan D. Baker’s Declaration, and a Statement of Undisputed Material Facts per Local Rule 56.1. This Motion is also based on the pleadings previously filed in this matter as well as other oral and documentary evidence presented before or at the hearing on this Motion.

Pursuant to Judge Castillo’s Case Management Procedures for Motion Practice, prior to filing this Motion CME served TRG with a concise letter summarizing the legal and factual

grounds for the Motion, with references to supporting authorities, and made a sincere effort to resolve issues relating to the Motion.

WHEREFORE, Counterclaim Defendant CME respectfully requests that the Court grant CME'S MOTION FOR SUMMARY JUDGMENT OF NO DAMAGES.

Dated: March 18, 2011

Respectfully submitted,

/s/ Jonathan D. Baker

Jerrold E. Salzman
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
155 N. Wacker Dr., Suite 2700
Chicago, IL 60606
(312) 407-0700

James J. Elacqua (admitted *pro hac vice*)
Jonathan D. Baker (admitted *pro hac vice*)
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
525 University Ave., Suite 1100
Palo Alto, CA 94301
(650) 470-4500

*Attorneys for Chicago Mercantile Exchange
Inc., Board of Trade of the City of Chicago, Inc.,
and CME Group Inc.*

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that, on March 18, 2011, he caused true and correct copies of the foregoing document to be served upon counsel for Technology Research Group, LLC, via CM/ECF.

/s/ Jonathan D. Baker
Jonathan D. Baker
*Attorney for Chicago Mercantile Exchange
Inc., Board of Trade of the City of Chicago,
Inc., and CME Group Inc.*